



Signed and Filed: December 6, 2021

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A handwritten signature in black ink, appearing to read "Hannah L. Blumenstiel", is written over a horizontal line.

HANNAH L. BLUMENSTIEL  
U.S. Bankruptcy Judge

Counsel for  
Janina M. Hoskins,  
Chapter 7 Trustee

UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

In re

SKULLY, INC.  
dba SKULLY HELMETS, INC.,  
  
Debtor.

Case No. 16-31113 HLB  
Chapter 7  
Hon. Hannah L. Blumenstiel

**ORDER AUTHORIZING TRUSTEE TO  
COMPROMISE CONTROVERSY**  
*(Hoskins v. Walden Riverwood  
Ventures, L.P., et al.)*

Upon due consideration, based on the Trustee's Motion to Compromise Controversy (*Hoskins v. Walden Riverwood Ventures, L.P., et al.*) [F.R.B.P. 9019(a); B.L.R. 9014(b)(3)] and her supporting declaration, filed November 12, 2021 as Dockets 112 and 112-1, respectively (collectively, the "Motion"), the Notice and Opportunity for Hearing on Motion to Compromise Controversy (*Hoskins v. Walden Riverwood Ventures, L.P., et al.*) [F.R.B.P. 9019(a); B.L.R. 9014(b)(3)] filed the same day as Docket 113 ("Notice"); which Notice was served by U.S. Mail upon all parties on the Debtor's Mailing Matrix, as evidenced by the Certificate of Service / Declaration of Mailing filed November 12, 2021 as Docket 114, and it appearing from the Trustee's Notice and Certificate of Service that notice is adequate, that no objection to the compromise described in the Notice has been filed or received by the Trustee's counsel, and that good cause exists, it is

ORDERED as follows:

1. The Motion is granted.

- 1           2.       The Trustee is authorized to dismiss the following actions:
- 2                   a.   *Janina M. Hoskins, Chapter 7 Trustee of the Bankruptcy Estate of Skully, Inc.*
- 3                       *v. Walden Riverwood Ventures, L.P., Nicholas Brathwaite, Cesar Lee, Intel*
- 4                       *Capital Corporation, Victor Westerland, and Keith Larson, Inclusive,*
- 5                       Case No. 2020-1100-SG filed in the Chancery Court of the State of Delaware;
- 6                       and
- 7                   b.   *Marcus D. Weller and Mitchell R. Weller, derivatively on behalf of Skully,*
- 8                       *Inc. v. Walden Riverwood Ventures, L.P., Nicholas Brathwaite, Cesar Lee,*
- 9                       *Intel Capital Corporation, Victor Westerland, Keith Larson, and Skully, Inc.,*
- 10                      *(Nominal Defendant), Case No. CGC-19-575574 filed in the Superior Court*
- 11                      of California, County of San Francisco;
- 12       (collectively, the “Lawsuits”), in exchange for payment by the defendants of \$1 million within 30
- 13       days of the entry of this Order, and the withdrawal by certain of the defendants of substantial claims
- 14       in this bankruptcy estate.
- 15           3.       The Trustee is authorized to execute those documents necessary to complete the
- 16       compromise approved by this order, including providing general releases for all defendants in the
- 17       Lawsuits.
- 18           4.       This Order is effective upon entry, and the stay otherwise imposed by Rule 62(a) of
- 19       the Federal Rules of Civil Procedure and/or Bankruptcy Rule 6004(h) shall not apply.

20                                   **\*\*END OF ORDER \*\***

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